GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants - PR&RD Department - Disciplinary proceedings initiated against Sri. P.B. Nagabhushanam, Retd E.O (PR&RD), Pichatur of Chittoor District (now Retired & Expired), who was trapped by ACB on 21.12.2004 - AO acquitted - Permission for filing the appeal in the High Court of AP against the acquittal order of the Trial Court - AO expired on 24.09.2020 - Further action abated - Orders - Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.V) DEPARTMENT

G.O.Rt.No.564

Dated: 28/10/2021
Read the following:-

1. From the D.G., ACB., Hyd., Rc.No.193/RCT-TCT/2004, dt.21-7-2005
2. G.O.Ms.No.9, PR&RD (Vig.III) Deptt., dt:6-I-2006.
3. Proceedings, dt:29.05.2006 of the District Collector, Chittoor.
4. G.O. Rt. No. 259, PR&RD (Vig.III) Dept., dt: 26.02.2007.
5. From the court of the Spl.Judge for SPE&ACB Cases, Nellore, C.C.No.13 of 2006, dt.21-2-2012.
6. From the D.G., ACB., Hyd., Lr.Rc.No.193/RCT-TCT/2004- S.7, dt.19-4-2012.
7. Govt. Memo No. 668/Vig.III/2005-7, dt. 15.5.2012.
8. Repn. Of Sri P.B.Nagabhushanam, Retd. E.O., PR&RD Dept., Madanapalle, Chittoor Dist., dt. 2.8.2014.
9. Govt. Memo No. 668/Vig. 111/2005, dt.07.10.2014 & 10.04.2018.
10. Lr.No.II66092/CPR&RD/VIG.V/2012, Dt.07.08.2020 & 19.05.2021 received from the CPR&RD, AP.
11. Representation received from Smt P.B.Venkatalakshmamma, W/o Late P.B.Nagabhishanam, E.O(PR&RD), MPP, Pichtur, Chittoor District,Dt.21.05.2021.

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ORDER:

It has been brought to the notice of the Government, that Sri. P.B. Nagabhushanam, Retd E.O (PR&RD), Pichatur of Chittoor District (now Retired & Expired), while working as Extension Officer and Incharge M.P.D.O., K.V.B. Puram Mandal, Chittoor District was trapped by the ACB officials on 21-12-2004 when he demanded and accepted bribe of Rs.1,000/- from Sri Mogili Munuswamy, who is the Sarpanch of ARAI Village of K.V.B. Puram(M) Chittoor District. He was placed under suspension vide Procs. No.23-12-2004 by the Collector, Chittoor.

2. The D.G., A.C.B., Hyderabad in his final report has stated that in view of the oral documentary and circumstantial evidence it is clearly established that A.O. Sri P.B. Nagabhushanam, Extension Officer and I/c M.P.D.O., K.V.B. Puram Mandal, Chittoor District has demanded and accepted an amount of Rs.1,000/- and therefore recommended to prosecute the A.O. in a court of law. After examining the matter, Prosecution sanctioned vide reference 2nd read above.

3. In the reference 3rd read above, the individual was reinstated into service and, he was retired from service on 31.05.2006. Further, ih the reference 4th read above, Government have issued orders sanctioning Provisional Pension subject to finalization of criminal case pending against him.

4. In the reference 5th read above, the individual was acquitted by the ACB Court vide Judgment dt:21.02.2012. Subsequently, Government have accorded permission to file counter in the High Court of A.P against the acquittal orders of the Trial court. A Crl. Appeal was filed vide No.620/2012 in the APHC against the judgment in CC No.13/2006 and is on the file of APHC.

5. In the reference 10th read above, the Commissioner, PR&RD, AP, has stated that the CEO, ZPP, Chittoor has submitted the proposal to issue necessary orders for treating the suspension period from 23.12.2004 to 29.05.2006 as duty in respect of the individual, as he was acquitted by ACB Court in CC.No.13 of 2006, and requested to issue appropriate orders on the representation of Smt

P.T.O

P.B.Venkatalakshmamma, W/o Late P.B.Nagabhushanam, E.O(PR&RD), MPP, Pichtur, Chittoor District.

6. In the reference 11th read above, Smt P.B.Venkatalakshmamma, W/o Late P.B.Nagabhushanam, E.O(PR&RD), MPP, Pichtur, Chittoor District has informed that after acquittal of her husband from the ACB Case, the ACB Department has filed an appeal before the Hon'ble HC in CRL appeal No.620/2012. She has also informed that *her husband was expired on 24.09.2020.* Therefore, she has requested to drop further action on the issue and order for treating the suspension period as on duty and to pay the Arrears of Salary and sanction the entitled Pensionary Benefits at an early date.

7. Government have examined the case of Late Sri: P.B. Nagabhushanam, Retd E.O (PR&RD), Pichatur of Chittoor District (now Retired & Expired) and observe that as per rules in vogue, death abates all further proceedings, however the loss caused if any, has to be recovered from the terminal benefits admissible to the legal heirs as per the Rule 9(7) of A.P. Revised Pension Rules, 1980.

8. Accordingly, Government after carefuf examination hereby:

i. abate further action against the Deceased officer Sri P.B..Nagabhushanam, E.O.(PR&RD) (Retired on 2006), MPP, Pichatur, Chittoor District, subject to recovery of loss, if any, under Rule 9 (7) of A.P. Revised Pension Rules, 1980; and

ii. to regularise the suspension period and release the annual increments and other consequential pensionary benefits, as requested by Smt. P.B. Venkatalakshmamma, W/o Late P.B.Nagabhushanam, E.O. (PR&RD) (Retd. In 2006), MPP, Pichatur, Chittoor District, consequent on the abatement orders as per the existing instructions in force.

9. The Commissioner, Panchayat Raj & Rural Development, AP, Tadepalli and the Director General, ACB, AP shall take necessary action accordingly.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner, Panchayat Raj & Rural Development, AP,
Tadepalli, Guntur District.
The Director General, ACB, AP, Vijayawada.
Copy to:
Smt. P.B. Venkatalakshmamma, W/o Late P.B.Nagabhushanam, E.O. (PR&RD) (Retd.), MPP, Pichatur, Chittoor District, through the Commissioner, PR&RD, AP.
The Secretary, A.P. Vigilance Commission, Velagapudi.
The PS to M(PR&RD, Mines & Geology)
The PS to Prl Secy, PR&RD.
SF/SC.(354713).

//FORWARDED:: BY ORDER//

SECTION OFFICER